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DHS ISSUES PROPOSED RULEMAKINGS FOR TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL AND MERCHANT MARINER CREDENTIAL

WASHINGTON, D.C. – The Transportation Security Administration (TSA) and the U.S. Coast Guard today took another step toward the implementation of the Transportation Worker Identification Credential (TWIC) by approving proposed regulations for a biometric-based identification credential for port workers. The notice of proposed rulemaking will be published in the Federal Register in the coming days and lays out specific details on the program. The public will have forty-five days to comment and four public meetings will be hosted by TSA and Coast Guard to solicit public input.

“TWIC is designed to ensure that individuals posing a security threat do not gain access to our nation’s ports,” Assistant Secretary Kip Hawley of TSA. “Today’s proposed rulemaking represents a significant milestone towards putting TWIC on the fast track.”

Also today, the Coast Guard approved a proposed regulation that works in conjunction with TWIC to streamline the current credentialing process for merchant mariners. It will publish on the same day as the TWIC NPRM.

The publication of these two rulemakings follows an announcement last week by DHS Secretary Michael Chertoff that the Department will begin conducting name-based background checks on approximately 400,000 port workers within the United States. These checks are an immediate measure to safeguard the Nation’s ports while the Department expedites the rollout of the TWIC.

The TWIC rule proposes the following:

- TSA would collect worker’s biographic information including ten fingerprints; name; date of birth; address and phone number; alien registration number, if applicable; photo; employer; and job title.
- All individuals with unescorted access to secure areas of port facilities and vessels regulated under the Maritime Transportation Security Act would be required to have a TWIC. This includes longshoremen, port operator employees, truck drivers and rail workers. U.S. Merchant Mariners who hold an active Merchant Mariner’s Document, Merchant Mariner’s License, Certificate of Registry or an STCW Endorsement would also be required to obtain a TWIC.
- Background checks would include a review of criminal history records, terrorist watch lists, legal immigration status and outstanding wants and warrants.
- TWIC would utilize Smart Card technology and include a worker’s photo, name, biometric information and multiple fraud protection measures. The card would be consistent with Homeland Security Presidential Directive-12 and Federal Information Processing Standards Publication 201-1 requirements and would be interoperable with other federal credentials built to those standards.

- The program is expected to cover 750,000 workers and would be funded through user fees. TSA anticipates workers would pay approximately \$139 to receive a TWIC. Workers with current, comparable background checks would pay approximately \$105 for the credential. A TWIC card would be valid for five years.
- Port facility and vessel owners and operators would be required to implement TWIC into their existing access control systems and operations, purchase and utilize card readers, and update their approved security plans.

The Merchant Mariner Credential rule proposes the following:

- A new Merchant Mariner Credential (MMC) would combine the elements of the Merchant Mariner's License, Merchant Mariner's Document, Certificate of Registry, and STCW Endorsement into one qualification credential.
- Although the format in which the mariner's qualifications and the application process itself would change, the training, experience and other requirements necessary to obtain a mariner's service qualifications would not change.
- Merchant mariners would no longer be required to visit a Regional Exam Center to submit fingerprints and identification or to take an oath when they obtain or renew their credentials, resulting in substantial time and travel savings.
- The MMC would appear in certificate form with many fraud protection measures. Although the actual format of the MMC is still in development, it is expected to look much like the recently released STCW Endorsement, as well as contain many of the security features used in that new certificate.

TSA laid the foundation for the establishment of the universal credential through a technology evaluation and prototype test. During the prototype test of the credential last year, TSA issued more than 4,000 TWICs to workers at 26 sites in six states.

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